

ABSTRACT

In this thesis, entitled *"Reorganization as a financial form of dealing with bankruptcy of business corporations"*, the author intends to approach this institute of the Czech insolvency law in a coherent and comprehensive scale.

The first chapter deals with the historical development of insolvency law as such, both in the world and in the Czech Republic. The intention of the introduction of the historical context of insolvency law is to facilitate the understanding of the meaning of insolvency law and its objectives. Historical excursion in this thesis leads from the very basics of insolvency law in Roman law, to the current form of Czech Insolvency Act. At the same time the creation of the Insolvency Act, including the impact of foreign legislation and European Union law, is briefly described in this section.

In the next three chapters, the author deals with insolvency proceedings generally, more specifically with the fundamental principles underpinning the whole insolvency law, and that permeate throughout the insolvency proceedings, including reorganization. Individual sections describe specific principles which are applicable only within the insolvency proceedings and their introduction illustrates the meaning and purpose not only of reorganization, but also of the entire insolvency proceedings and assist in the interpretation of various provisions of the Insolvency Act. The thesis also briefly mentioned the individuals and participants in insolvency proceedings with regard to the reorganization, including the method of exercising their rights in insolvency proceedings.

The sixth chapter is the main part of this thesis and describes in detail the institute of reorganization, from the perspective of the legal framework and case law. The structure of the main section is chosen with regard to the arrangement of individual parts related to the reorganization in the Insolvency Act. In the following seventh chapter, the author deals with the practical example of the successful reorganization of the company called KORDÁRNA, a.s., where the theoretical knowledge of previous chapters is demonstrated.

Currently, since the reorganization is a relatively new institute in insolvency law, it is used very rarely. Despite its indisputable benefits, reorganization is still a minority way of resolving insolvency of the debtor, compared to liquidation. However, we can surely expect that the development of the reorganization in Czech insolvency law will, even if really slowly, continue and its popularity among debtors and creditors will grow.